

**Superior Town Council  
Town Council Meeting**

**Thursday, June 5<sup>th</sup>, 2008  
Superior Senior Center  
Superior, Arizona**

**M I N U T E S**

**A. Call to Order**

Mayor Hing called the meeting to order at 7:25 p.m.

**B. Salute to the Flag**

Mayor Hing led the council, staff and audience in the pledge.

**C. Opening Prayer**

Mayor Hing led the Town Council, Staff and audience in an opening prayer.

**D. Roll Call**

**Members Present:** Councilmember Cervantes, Second Vice Mayor Lopez, Mayor Hing, Councilmember Heglie, Councilmember Peralta, First Vice Mayor Valenzuela

**Members Absent:**

*A quorum was present and the meeting continued.*

**E. Consent Agenda**

Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were:

- 1. Approval of Minutes for May 15, 2008**
- 2. Autism Speaks Blanket Permit**
- 3. Town of Superior vehicles for auction**

Mr. Heglie explained that a portion of the minutes were missing in regards to the Orion Contract. Ms. Lira apologized and explained there must have been an error on her part within the template and would bring them back. Second Vice Mayor Lopez made a motion to approve the Autism Blanket Permit and the Town of Superior Vehicles for auction. Councilmember Heglie seconded the motion. The motion passed unanimously. *The minutes from May 15<sup>th</sup> will be brought forward for approval at the next meeting once the corrections are made.*

**F. Communication**

**1. Sister City Report and Presentation**

Mayor Hing explained that Mr. Marquez was ill and unable to attend the meeting so they would not be presenting him the plaque for his services at this meeting. He asked Councilmember Heglie to give a verbal report on the Sister City trip to Canadas de Obregon, Jalisco Mexico.

Councilmember Heglie explained that the trip was very nice and they were treated well by the president of their community. He also explained that their government operates differently and their council does not open their meetings to the public. He stated that while they were there their community was hosting its annual festival. He stated that at some time Superior will invite a delegation of their council to visit Superior.

**1. Managers Report – Interim Town Manger Melanie Oliver**

Ms. Oliver reported on several projects within the town. She explained that Life Builders

has been given 30 days to put the fence up on the school district property that had been removed. She updated the council on the abatement appeal for the uptown theatre and the utility easements. In addition to these reports she updated the council on the construction status on the fire station and caboose visitor center. Ms. Oliver also explained that due to an incident at another community the inmate labor program has stopped and should resume once new safety procedures are in place. Discussion followed regarding the stop work order on the diner property owned by Mr. Holmquist, the utility easement charges by Wildan and the certification of a staff person for the spraying of weeds. Councilmember Peralta also requested that Ms. Oliver provide the council a written report.

#### **1. Police Department Report**

Chief Digirolamo gave a brief update in addition to his written report. He stated that burglaries were down based on statistics from last year. He also stated that the department will be hiring a new dispatcher and one of the officers is currently on light duty. Chief Digirolamo gave a report on weapons the department would like to trade up. He explained the newer rifles would be appropriate for use should there be a shooting in a school or to make armed entrances on a crime scene or situation. He also explained how the building will be used now that the police department fully occupies the town building at 734 Main. St.

#### **1. Fire Department Report – Interim Chief Todd Pryor**

Chief Pryor gave a verbal report in addition to his written report. He reported on the fire department vehicles that need to go to auction and also on the intent to rehabilitate or refurbish the old engines for a parade vehicle. In addition to his update on the vehicles he stated the board of appeals had begun to meet and will have their first hearing on June 10<sup>th</sup> in regards to the abatement appeal on the former Uptown Theatre.

#### **1. Parks and Recreation report**

Ms. Oliver explained that the committee met that week and appointed Benny Hernandez as the chairperson of the committee. She gave an overview of the Summer Recreation program for the students as well as updated the council on the swimming pool schedule and swimming lessons. She also explained that the committee has begun plans for the Fourth of July festivities and the intention is to host the events down town.

#### **A. Call to the Public**

Mayor Hing announced the call to the public. He explained that anyone wishing to speak now could only speak directly to the Council and only for items not on the current agenda.

**Mr. Preciado** – Explained that recently there had been people throwing rocks and some general disturbances in his neighborhood and he wanted to make the council aware of the situation so that future problems could be avoided if the person was caught who was doing this.

#### **A. Public Hearing**

*Councilmember Heglie made a motion to move into the public hearing. Councilmember Peralta seconded the motion. The motion passed unanimously.*

#### **1. Regarding the costs associated with the abatement of the Magma Hotel and to hear any appeals, objections or protests and pass a decision on charging the property or its owner with the stated expenses. – Nick Bernoski/Willdan**

Mr. Bernoski explained that the purpose of the hearing was to establish how the charges the town incurred on the abatement of the Magma Hotel would be recouped. He explained that the charges could be recouped by placing a personal debt obligation on the property owner or place the charges as a lien on the title of the property. He explained that the debt would stay with the property even if the property changed hands and monies would be recouped if they sold the property or through a tax lien the lien would have to be paid. The council discussed the various options and the complexities should they decide to recoup the monies through a personal liability. Mr. Bernoski explained that should they choose to put a lien on the property then the lien would be paid second to the county property taxes.

Mr. Gildensburger resident of the community expressed his concern that the rest of the property is also in bad shape and may need to be abated as well he asked by the entire area was not demolished because this is going to cost the town should the other structures

create the same safety hazard as the adobe structure.

Preceding these comments discussion followed on the intention of the current owners and their intent to secure the rest of the structures on the property. Council directed Ms. Oliver to talk with the owners on their intentions for the property also to see if they would be interested in signing the property over to the town.

Ms. Oliver explained that after her discussions with the owners she would prepare a report for the council that would allow the town to go after the personal purchase price of the property with a time limit. She stated this would not affect the lien but if an agreement could be made then the lien could be released.

Councilmember Heglie made a motion to proceed to collect the \$101,743.56 by assessing a lien against the property. Councilmember Peralta seconded the motion. The motion passed unanimously.

Second Vice Mayor Lopez made a motion to return to the regular session. Councilmember Heglie seconded the motion. The motion passed unanimously.

#### **A. Business**

##### **Possible Discussion and/or action on the following**

##### **1. Discuss/Approve/Reject canvassing the votes from the May 20<sup>th</sup> 2008 Special Election.**

Ms. Oliver read the resolution title that canvassed the votes from the Special Election held on May 20<sup>th</sup> 2008. Councilmember Peralta made a motion to approve the canvassing of the votes. Second Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Mayor Hing expressed his concern that the override passed by a very close margin and he explained that this override did not increase taxes it just allowed the town to spend over what the state allows.

##### **1. Presentation to propose the creation of a Public Safety Director to lead and manage the Town of Superior Police and Fire Department.**

Ms. Oliver and Chief Digirolamo both presented this item to the council. Ms. Oliver explained that it was brought to her attention recently when the situation with bees arose that there was needed to be one person in charge of the response to direct both public safety entities. She stated that creating this position will not affect the budget because the positions of Fire Chief and Police Chief will be eliminated. The council asked that staff provide full job descriptions for the position titles. Chief Lou explained that several other communities use this structure including Apache Junction and Wilcox. They also discussed how after the tragedies of September 11<sup>th</sup> many other state and federal organizations changed their structures to accommodate the changing needs of public safety.

Mayor Hing asked if the members of the Fire Department in attendance had any comments in regards to this agenda item. Michael Alonzo volunteer member of the fire department explained that it was important to identify what the roles of the Public Safety officer would be and how that would affect the structure of the department and how does that affect the goals of the town.

No further discussion followed.

#### **A. Council Comments**

##### **Councilmember Peralta**

No Comments

##### **Councilmember Heglie**

No Comments

##### **Councilmember Cervantes**

No Comments

##### **Second Vice Mayor Lopez**

No Comments

**First Vice Mayor Valenzuela**

No Comments

**Mayor Hing**

Announced that this years Soap Box Derby champ from Arizona was from Superior and would be representing the region, the state and Superior in Akron at the championship. He also announced that due to several personal commitments and his commitment to the town that he has withdrawn his candidacy for Pinal County Supervisor.

*Mayor Hing asked for a motion to adjourn to executive session. Councilmember Heglie made a motion to move into executive session. Second Vice Mayor Lopez seconded the motion. The motion was approved unanimously.*

**K. Executive Session**

The Town Council may or may not vote to go into Executive Session pursuant to ARS 38-431.03 (A-1), (A-3) & (A-7)

(A-1) – Personnel

(A-3) – Legal Advise with Attorney

(A-7) – Legal Advice on Sale, Lease, or Purchase of Real Property:

1. Employment and Related Issues of Chief of Police Luigi Digirolamo

At 10:09 p.m. the council returned from Executive Session.

**L. In Public Session**

**1. Discuss/Approve/Reject employment and related issues of Chief of Police Luigi Digirolamo.**

Second Vice Mayor Lopez made a motion to table the items discussed in executive session. Councilmember Peralta seconded the motion. The motion was approve unanimously.

**M. Adjournment**

Councilmember Heglie made a motion to adjourn the meeting. Second Vice Mayor Lopez seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:38 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Superior held on the 5<sup>th</sup>Day of June 2008. I further certify that the meeting was duly called and held and that a quorum was present.

/s/  
Melanie Oliver \_\_\_\_\_  
Melanie Oliver  
Interim Town Manager

These minutes have been transcribed and compiled by  
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